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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,360	10/08/2002	Akira Ohmura	106121.09	5648

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OLIFF & BERRIDGE, PLC  
P.O. BOX 19928  
ALEXANDRIA, VA 22320

EXAMINER
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HERNANDEZ, NELSON D

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/065,360

Applicant(s)

OHMURA, AKIRA

Examiner

Nelson D. Hernandez

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-8 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-8 and 11-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings were received on October 31, 2006. These drawings are acceptable.

### ***Specification***

2. The Examiner acknowledges the new title filed on October 31, 2006. The new title is acceptable.

### ***Response to Arguments***

3. Applicant's arguments filed on October 31, 2006 have been fully considered but they are not persuasive.

The Applicants argues the following:

- a. The Office Action asserts that Applicant's claimed "predetermined period" "is defined from the moment that the folder selection dialogue appears in the camera screen until the user click [sic] OK to indicate that the folder has been selected." See page 4, lines 5-7 of the Office Action. The time period between the moment that the folder selection dialogue appears and the user clicks OK is random and could be different in every instance in which a digital image is stored in the memory of Niikawa. Accordingly, the "time period" of Niikawa proposed in the Office Action is not "predetermined." Rather, it is a random time period. Accordingly, Niikawa does not disclose or suggest the above-noted features of

independent claims 1, 6 and 19. Berstis also does not disclose or suggest these features. Accordingly, independent claims 1, 6 and 19, along with their dependent claims, are patentable. Withdrawal of the rejection is requested.

➤ The Examiner disagrees, as defined in "The American Heritage, College Dictionary" Fourth Edition, the word "predetermine" means to determine or decide in advance. Since the claim is silent to indicate whether the predetermined time is pre-set by the controller, set by the manufacturer or set by the user, the Examiner is reading the limitation "predetermined time" as a time being set in advance by the user, so that the user can set in advance the waiting time for the second command. Therefore, by defining the period of time from the moment that the folder selection dialogue appears in the camera screen until the user click [sic] OK to indicate that the folder has been selected, said user is defining the predetermined time. And, when the user clicks OK, said user is sending the second command within said predetermined time.

Therefore, the rejections made to claims independent claims 1, 6 and 19 are maintained.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3, 6, 7, 8, 13, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa, US Patent 6,947,075 B1 in view of Berstis, US Patent 6,721,001 B1.**

**Regarding claim 1**, Niikawa discloses a digital image storage system (See fig. 5) comprising: a digital camera (See fig. 1: 1) having a memory (memory card 8 as shown in fig. 4) capable of storing digital images; a data storage (PC 1000 as shown in fig. 5), the data storage further including a storage medium (hard disc drive HD1 shown in fig. 5) that stores the digital images transmitted from the digital memory; and a controller (CPU 211 as shown in fig. 4) that executes a program for controlling the transmission and the storage of the digital images in the at least one folder in the storage medium (See folders in figs. 7(b) and 8(b) show in the screen of the digital camera 1), wherein after receiving a first command (Depression of button F2 as shown in fig. 6: step D22) that will result in the transmitted digital images being stored in a predetermined folder, the controller waits for a predetermined period for a second command that designates a different folder in which the digital images are to be stored (The user can select a different folder after depression of button F2 as shown in the window D12 in fig. 8(b)), and executes the second command if the second command is

received within the predetermined period (the images would be stored in a different folder after the depression of the button F1 as shown in fig. 6: D23; the controller waits until the second command (when the user click OK button to indicate that the folder has been selected and press F1 to transfer the image data; see col. 8, lines 30-64) is received. The time period is defined from the moment that the folder selection dialog appears in the camera screen until the user click OK to indicate that the folder has been selected) (Col. 3, lines 17-38; col. 4, lines 5-50; col. 8, lines 14-65).

Niikawa does not explicitly disclose that the data storage includes a docking station on which the digital camera can be placed, wherein said data storage stores the digital images transmitted from the digital memory through said docking station.

However, Berstis teaches a discloses a digital image storage system comprising: a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214) capable of storing digital images; a data storage (Berstis teaches that the images are transmitted to a server or a computer system; col. 2, lines 40-46; col. 4, lines 53-63) having a storage medium (by teaching that the images are transmitted to a server or a computer system, Berstis inherently teaches a data storage having a storage medium for storing the digital images since a storage medium is necessitated to store the image data; col. 2, lines 40-46; col. 4, lines 53-63; a docking station (Fig. 1: 106) on which the digital camera can be placed to transmit the digital images stored in the memory of said camera to the storage medium in the data storage through said docking station; a controller (Fig. 2: 216) that controls the transmission of the digital images from the digital camera memory to the storage medium (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

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Having a docking station to establish communication between the camera and the data storage is advantageous because it would allow the user to connect the digital camera to different data storages (i.e. pc, laptops, PDA's, etc), using the camera connected to the docking station as an external device that can be placed closer to the user for easy access offering the necessary support to secure the camera in place, reducing the amount of parts and costs of the data storage.

Therefore, taking the combined teaching of Niikawa in view of Berstis as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niikawa by having the storage including a docking station on which the digital camera can be placed, wherein said data storage stores the digital images transmitted from the digital memory through said docking station. The motivation to do so would have been to improve the digital image storage by allowing the user to connect the digital camera to different data storages (i.e. pc, laptops, PDA's, etc), using the camera connected to the docking station as an external device that can be placed closer to the user for easy access offering the necessary support to secure the camera in place, reducing the amount of parts and costs of the data storage.

**Regarding claim 2**, Niikawa discloses a manually operable member for generating the second command (F2 button as shown in fig. 2).

**Regarding claim 3**, Niikawa discloses that the manually operable member is arranged at the digital camera (See buttons F1, F2, F3 and track ball arranged at the camera as shown in fig. 2).

**Regarding claim 6**, the combined teaching of Niikawa in view of Berstis teaches the same as in claim 1. Therefore, grounds for rejecting claim 1 apply here.

**Regarding claim 7**, limitations can be found in claim 2.

**Regarding claim 8**, limitations can be found in claim 3.

**Regarding claim 13**, Niikawa discloses a user interface for generating the second command (See buttons F1, F2, F3 and track ball 14 at the camera body in fig. 2; see also figs. 7(a), 7(b), 8(a) and 8(b)).

**Regarding claim 17**, limitations can be found in claim 13.

**Regarding claim 19**, limitations in claim 19 have analyzed and discussed in claim 1. Grounds for rejecting claim 1 apply here.

**6. Claims 11, 12, 14, 15, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa, US Patent 6,947,075 B1 in view of Berstis, US Patent 6,721,001 B1 and further in view of Chatani, JP 08-069684 A.**

**Regarding claim 11**, the combined teaching of Niikawa in view of Berstis fails to teach that the controller is located at the data storage.

However, Chatani discloses a digital image storage (Fig. 1) system comprising: a data storage (Fig. 1: 1) including a docking station (see fig. 1: 6) on which a digital camera (Fig. 1: 10) can be placed for transmitting images stored in a memory (Fig. 1: 8) of the digital camera to the docking station, the data storage further including a storage medium (Fig. 1: 2) that stores the transmitted digital images; and a controller (control circuit in fig. 2: 23) that controls the transmission of the digital images (Fig. 3, step



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S102) from the digital camera automatically upon receiving a connection signal from the docking station interface where the camera is connected (See translation, page 6, ¶ 0019, ¶ 0023 – page 7, ¶ 0029). Having the controller located at the data storage, receiving a signal from the docking station to execute the program to transfer the image data from the camera to the data storage and having said controller automatically transfer the image data is advantageous because it would reduce the costs and size of the digital camera since it would reduce the number of components of said digital camera and it would also minimize the steps needed for transmission of image data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital image storage system of Niikawa and Berstis by having the controller located at the data storage, wherein said controller receives the signal from the docking station to execute the program and to modifying the controller to controller automatically transfer the image data from the camera to the data storage. The motivation to do so would have been to reduce the costs and size of the digital camera since it would reduce the number of components of said digital camera and it would also minimize the steps needed for transmission of image data.

**Regarding claim 12, 14, 15, 16 and 18,** limitations in claims 12, 14, 15, 16 and 18 have been analyzed and discussed in claim 11. Therefore, grounds for rejecting claim 11 apply here.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

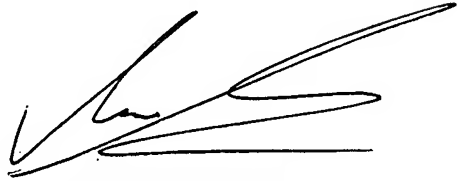
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez  
Examiner  
Art Unit 2622

NDHH  
January 16, 2007



**VIVEK SRIVASTAVA**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600